

HOUSE BILL 2026
By Kernell

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 104, Part 1 and Title 68, Chapter 104,
Part 1, relative to safety.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 104, Part 1, is amended by adding the following new sections thereto:

Section 68-104-1__.

The commissioner of commerce and insurance is hereby directed to develop a program for the licensure of all manufacturers, retailers, wholesalers, seasonal retailers and displayers of fireworks. The purpose of this act is to provide uniform procedures and qualifications throughout Tennessee for licensing and regulation of persons who manufacture, sell, and display fireworks, and to protect the safety and security of persons and property by assuring that individuals or companies providing fireworks and fireworks displays to the general public are competent and are trained in applicable rules, regulations and laws such as life safety codes.

Section 68-104-1__.

In accordance with the provisions of the Uniform Procedures Act, compiled in title 4, chapter 5, the commissioner shall:

(1) Promulgate such rules as may be reasonably necessary to implement and administer the provisions of this act in an efficient and effective manner, including rules to require submission of reports and information by licensees under this act and promulgate such rules and regulations as it shall deem necessary for internal management and control;

(2) Establish fees sufficient to pay the annual direct and indirect anticipated expenses of this act, including:

(A) A nonrefundable fee for licensure;

(B) A biennial licensure renewal fee; and

(C) An identification card replacement fee;

(3) Establish categories of licensing;

(4) Investigate and approve applicants to be licensed or registered under this act.

The commissioner shall have the authority to promulgate rules to require a background check conducted by the commissioner and investigation by the Tennessee bureau of investigation (TBI) and the Federal Bureau of Investigation (FBI);

(5) Conduct investigations regarding alleged violations and make evaluations as may be necessary to determine if licensees under this act are complying with the provisions of this act;

(6) Investigate allegations regarding possible violations of this act by unregistered persons;

(7) Issue subpoenas to compel the attendance of witnesses and the production of pertinent books, accounts, records, and documents;

(8) Deny, suspend or revoke any license, licensure, or renewal issued or to be issued under this act to any applicant or licensee who fails to satisfy the requirements of this act or failure to observe the terms and conditions of any license, licensure, or renewal, or for failure to follow the rules established by the commissioner; and

(9) Seek such civil remedies at law or equity to restrain or enjoin any unauthorized practice or other violation of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

